

Predominate Aggressor

§13A-6-134

Factors for Determination

Applies to DV 1, 2, 3 & DV SS

Factors

Prior DV Complaints

Relative severity of Injuries

Offensive v. Defensive in nature

Likelihood of Future Injury to each person

Person reasonably believed in danger of becoming a victim

Acted in Self-Defense

Intervention and Arrest

May not discourage
intervention requests:

Cannot threaten or indicate
possible arrest of all parties
to discourage requests for
intervention.

No decision to arrest may be
based upon:

Consent or request of victim

Perception or willingness of
victim or witness to
participate with prosecution

